

CHAPTER NO. 1076

HOUSE BILL NO. 3082

By Representatives Arriola, Westmoreland, Godsey, Mumpower

Substituted for: Senate Bill No. 3259

By Senator Ramsey

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, relative to methadone treatment facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-106(d)(3), is amended by adding a new sentence after the first sentence to read as follows:

Within ten (10) days of the filing of an application for a nonresidential methadone treatment facility with the commission, the applicant shall send a notice to the county executive of the county in which the facility is proposed to be located and to the mayor of the municipality, if the facility is proposed to be located within the corporate boundaries of a municipality, by certified mail, return receipt requested, informing such officials that an application for a nonresidential methadone treatment facility has been filed with the commission by the applicant.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. At a hearing conducted by the commission for a nonresidential methadone treatment facility, if a local governing body requests to participate in such hearing, the officials of such governing body shall have the opportunity to appear before the commission and express support and/or opposition to the granting of a CON to the applicant. The testimony of such officials shall be informational and advisory to the commission and the support of the local governing body shall not be a requirement for the granting of a CON by the commission.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section _____. The moratorium established by Section 1 of Chapter 364 of the Public Acts of 1997, shall continue until rules and regulations concerning a central registry and outcomes-based program evaluation are final and effective pursuant to Title 4, Chapter 5, Part 1. The board shall initiate rulemaking procedures within thirty (30) days of the effective date of this act.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 1, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 19th day of May 1998


DON SNOGRASS, GOVERNOR